

GENENTECH, INC
GENENTECH, INC.
GENENTECH, INC.
GENENTECH, INC.

1 DNA Way
South San Francisco, CA 94080-4990
(650) 225-4462
TWX 9103717168

LEGAL DEPARTMENT

FAX NUMBERS (650) - 952-9881 OR (650) - 952-9882

DATE: May 28, 2004

Please deliver the following page(s) to:

NAME: Examiner M. Dibrino, Group Art Unit 1644

FIRM: U.S. Patent and Trademark Office

NUMBER TRANSMITTING TO: (571)273-0842

FROM: Lee K. Tan, Ph.D.; Reg. No. 39,447

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 9

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information from GENENTECH, INC. which is confidential or privileged. This information is intended only for the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is strictly prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the documents to us and the retransmission of them to the intended recipient.

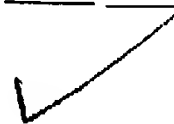
COMMENTS:

Re: Genentech Docket No.: P1089R1C1
Lam et al.
Serial No. 09/724,868
Filed: November 28, 2000
Title: ANTIBODY FORMULATION
Confirmation No.: 8389
Genentech Customer No.: 09157

Per your voice mail request this morning, attached is a copy of the IDS, form 1449 and PTO stamped postcard receipt.

If you did not receive all of the pages, please call Janet Tse as soon as possible at (650) 225-2906, Legal Department.

Copy of IDS
filed 2/15/2004



In re Application of: Lam et al.
Serial No.: 09/724,868
Filed On: 28 November 2000
Mailed On: February 13, 2001

Docket No.: P1089R1C1
By: Lee K. Tan
Reg. No.: 39,447

The following has been received in the U.S. Patent Office on the date stamped:

- ☒ Information Disclosure Statement
- ☒ PTO 1449 Form (-0- copies of references enclosed)
- ☒ Certificate of Mailing

In re Application of: Lam et al.
Serial No.: 09/724,868
Filed On: 28 November 2000
Mailed On: February 13, 2001

Docket No.: P1089R1C1
By: Lee K. Tan
Reg. No.: 39,447



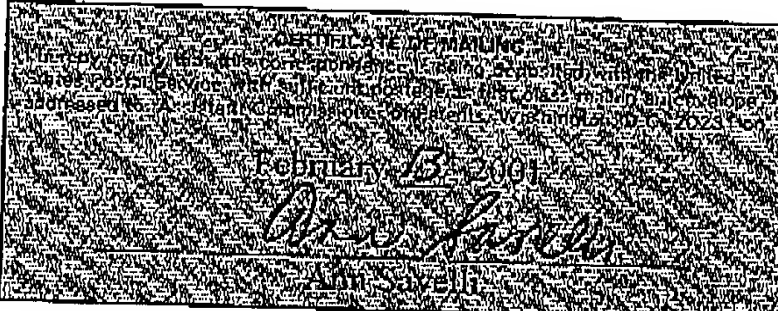
The following has been received in the U.S. Patent Office on the date stamped:

- ☒ Information Disclosure Statement
- ☒ PTO 1449 Form (-0- copies of references enclosed)
- ☒ Certificate of Mailing



Patent Docket P1089K1C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Lam et al. Serial No.: 09/724,868 Filed: 28 November 2000 For: ANTIBODY FORMULATION	Group Art Unit: Unassigned Examiner: Unassigned 
--	--

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

- ☒ **37 CFR §1.97(b)**
- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); or
 - within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491, or
 - before the mailing of the first Office action on the merits; or
 - before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.
- ☐ **37 CFR §1.97(c)**
- by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) or a statement as specified in 37 CFR §1.97(c), as checked below.
- ☐ **37 CFR §1.97(d)**
- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) and a statement as specified in 37 CFR §1.97(e), as checked below.

Page 2

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(c) may need to be completed.]

- ☐ 37 CFR §1.97(e) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ 37 CFR §1.704(d) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified).

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO-1449 form are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. 09/097,171, filed June 6, 1998 and relied upon in this application for an earlier filing date under 35 USC §120.

☐ BLAST results enclosed:

The undersigned also wishes to bring to the attention of the Examiner BLAST results of computerized alignments of the against sequences contained in the nucleotide and protein databases. The BLAST results are provided in paper form and are identified as reference "BLAST Results A-1- A-()" (nucleotide) and "BLAST Results B-1 - B-()" (protein) on the PTO Form 1449. Applicant requests that these references also be considered and that the Form 1449 be initialed to indicate the Examiner's consideration of the references.

A concise explanation of relevance of the items listed on PTO-1449 is:

☒ not given

☐ given for each listed item

☐ given for only non-English language listed item(s) [Required]

Page 3

- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

In the event that the Office determines a fee to be due where none is specifically authorized in this paper, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p).

Respectfully submitted,

GENENTECH, INC.

Date: February 13, 2001

By: Lee K. Tan
Lee K. Tan
Reg. No. 39,447
Telephone No. (650) 225-4462



09157

PATENT TRADEMARK OFFICE